

in terms of section 66 of the said Act the following provisions shall apply:—

- (a) The application for the warrant shall be made to the Registrar in the form numbered 12 in the First Schedule hereto, and shall specify—
- (i) The name of each pensioner to which it relates;
  - (ii) The number of the pension-certificate;
  - (iii) The amount of the instalment applied for;
  - (iv) The cost and period of maintenance or relief, such period in no case commencing earlier than one calendar month before the day on which the instalment applied for falls due;
  - (v) The total amount of instalments applied for.
- (b) The pension-certificate shall be produced in every case.
- (c) The warrant, which shall be signed by the Registrar, shall be recorded on the application, and shall state the total amount for which it is granted.
- (d) The warrant, which may relate to more pensioners than one, shall be delivered up to the paying officer by the payee when receiving payment of the instalments to which it relates, and shall be forwarded by the paying officer with his accounts.
- (e) No warrant under this regulation shall be issued unless any previous warrant issued to any person in respect of the same pension has been first surrendered to the Registrar, and no payment shall be made to a charitable institution except on production of a warrant issued in terms of these provisions.
- (f) If any dispute arises between the pensioner and the institution as to the proper disposal of the instalment, the question shall be decided in a summary way by a Magistrate.

32. With respect to a warrant authorizing payment of instalments to any person other than the pensioner in terms of section 67 of the said Act the following provisions shall apply:—

- (a) The application for the warrant shall be made to the Registrar direct, or to him through a paying officer or Clerk of Court, in the form numbered 13 in the First Schedule hereto, and shall be accompanied by the pension-certificate.
- (b) The proposed payee, being a European of good repute, must be not less than twenty-one years of age.
- (c) The warrant shall be in the form numbered 14 in the First Schedule hereto, and shall continue in force only during the currency of the pension-certificate to which it is expressed to relate: Provided that it may be renewed upon the issue of a renewed pension-certificate, or may be cancelled by the Registrar or Commissioner at any time for good cause shown.
- (d) No such warrant shall be issued in respect of a pension where the pensioner is absent or about to be absent from the district in which the agent is residing, unless under special circumstances, which shall be set forth in the application.
- (e) The Registrar shall issue the warrant together with the pension-certificate direct to the person entitled thereto.
- (f) If the pensioner does not consent to the application and refuses to give up the pension-certificate the Registrar may issue a duplicate pension-certificate with the warrant, and in respect to such duplicate the provisions of clauses 18 and 27 of these regulations shall apply.
- (g) If after the issue of a duplicate pension-certificate in terms of the last preceding paragraph the original pension-certificate is presented for payment, the paying officer shall refuse payment thereon, and shall impound the certificate and forward it to the Commissioner.

#### RENEWAL AND REVIEW OF PENSIONS.

33. (1) For the purpose of ascertaining whether a pensioner under Part I or Part II of the said Act is entitled to a renewal of his pension, an Income and Property Statement in the form numbered 15 or 16 or 17 in the First Schedule hereto, as the case may require, shall be lodged with the Registrar immediately after the close of the income year.

(2) The Income and Property Statement required to secure the continuance of an old-age pension granted to an inmate of a mental hospital, shall be signed by the Superintendent of the institution, and shall contain a certificate from the Public Trustee as to the property owned by and any income derived from the estate of the pensioner. The statement shall be dealt with as in the case of any other Income and Property Statement.

(3) If no statement is lodged within three months after the expiry of the said income-year the Registrar shall remove the

pensioner's name from his pension roll, and notify the Commissioner that he has done so. In any such case an application subsequently lodged shall be treated as an original pension-claim under these regulations, unless dealt with within the calendar year in which the aforesaid removal took place, in which event it shall be dealt with in the same manner as if the statement had been duly lodged.

34. To facilitate the prompt furnishing of Income and Property Statements the Registrar shall issue to each pensioner before the close of the income-year a copy of the prescribed form. On receipt of the said form duly completed he shall forthwith proceed, where necessary, to verify the statements of the pensioner by means of the forms provided for the purpose and in due course shall forward the necessary papers to the Commissioner with his recommendation, and any explanation necessary as to the altered circumstances of the pensioner.

35. The Commissioner shall forthwith proceed to investigate the application in the same manner, with the same powers, and subject to the same provisions as in the case of an original pension-claim, and, having recorded his decision in the form numbered 18 or the form numbered 19 in the First Schedule hereto, as the case may require, particulars of which shall be noted on the district card, shall return the papers with a copy of his decision to the Registrar. The Registrar shall, in respect of each decision of the Commissioner received by him, notify the pensioner and note the pension-card, and, where a renewal of the pension has been authorized, shall issue a new pension-certificate to the paying officer, to be exchanged for the former certificate on expiry.

36. The Income and Property Statement required to secure the renewal of a pension under Part III of the said Act shall be dealt with as provided by clauses 34 and 35 of these regulations, except that the Commissioner, after noting the district card, shall notify the pensioner of his decision, and, in the event of a renewal of the pension being authorized, shall issue a new pension-certificate direct to the payee.

37. (1) Where at the investigation of any application for renewal of a pension, or at any other time, the Registrar is of the opinion that any pensioner under the said Act is, for any reason relating to the ownership of property or income, or for any other reason, drawing a larger or smaller amount of pension than that to which he is by law entitled, he shall forthwith furnish a report to the Commissioner, who shall, if deemed to be necessary, suspend payment of the pension, and proceed to investigate the circumstances in the same manner and with the same powers as in the case of an original pension-claim, and for that purpose the provisions of the said Act and of these regulations shall apply with all necessary modifications.

(2) In any case to which this clause relates the decision of the Commissioner shall be notified to the Registrar, who shall in the case of pensioners under Part I or Part II of the said Act in due course advise the pensioner and note the pension-card. The Commissioner shall in each such decision take such action in regard to the payment of the pension as is necessary in terms of the provisions of these regulations.

38. Where as the result of any inquiry it is found that the pensioner has been paid an amount in excess of that to which he was by law entitled, the Commissioner may take action to recover such excess in the Magistrate's Court by plaint, as provided by the Magistrates' Courts Act, 1908. In lieu of any such proceedings he may make arrangements with the pensioner to refund in cash or deduct the amount from any further pension payable in such instalments as may be deemed desirable. Where it is ascertained that any overpayment has been obtained by fraud, a prosecution may be instituted by information laid in terms of the Justices of the Peace Act, 1908.

39. No Court fees shall be payable in connection with any proceedings before a Magistrate under these regulations.

40. All moneys received by way of refund of overpaid pension, with or without Court proceedings, shall be paid into the Public Account at the nearest branch of the Bank of New Zealand, and the Registrar shall forward the bank receipts to the Commissioner, giving particulars of the refund.

41. Where a conviction for drunkenness is recorded for the first time against a pensioner the Registrar shall arrange for the appointment of an agent, and when notified of the issue of the necessary warrant the Commissioner shall give notice to the paying office to pay to the agent only; but where a second conviction for drunkenness or other offence dishonouring the pensioner in the public estimation is recorded during the currency of any pension-certificate the Commissioner may, in his discretion, suspend payment of the pension for such period as he deems fit. Where any further conviction is recorded during such currency the Commissioner shall cancel the pension, and shall notify the Registrar, who shall thereupon record the cancellation and shall recover and forward to the Commissioner the pension-certificate current at the date of cancellation.